

Whalen, Marilyn

From: tiffany murray <etmurray9@gmail.com>
Sent: Thursday, August 14, 2014 9:40 AM
To: Blumenfeld, Jared
Subject: NONCOMPLIANCE WITH TSCA LAW & UNACCEPTABLE PCB EXPOSURE

Dear Mr. Blumenfeld,

Based on my own research, it is my understanding that your Agency is one of the finest in terms of hiring the highest caliber individuals, who irrespective of politics within the Administration, will do the proper research, assess the situation without cutting corners, and ultimately drive the compliance necessary to protect the health of people and the environment.

It is now the 11th hour at our school, Malibu High School, (and Juan Cabrillo Elementary), and instead of looking forward to school starting (date is slated for 19 AUG, next Tuesday), we have a community filled with fear concerning the health and safety of the campus.

We need your agency to do the right thing -- which means, **delay the opening of school**, and confirming a plan to set up temporary classrooms while scientists conduct proper testing for each and every classroom.

Please look at the attached map of the campus, with the yellow areas marked showing Caulk tested for PCB's over 50PPM. the Blue areas designate rooms that have dust samples over EPA guidance.

The grey dots (littered throughout the Middle School & High School Quads, and library) -- indicate PCB in the soil, over EPA guidance.

And all the while -- NOT ALL CLASSROOMS/ BUILDINGS have been tested. The red stars indicate that a teacher who spent significant time in that room, now has Thyroid Cancer or is now being treated for Thyroid disease.

So, how are we to be comfortable as parents, to send my 11 year old to a school that has PCB's that are off the charts?

Instead of being thrilled and excited with the new school schedule that arrived the other day, we are anxious.

To give you a glimpse in the proposed day in the life of a 6th grader:

8-10AM

HUMANITIES

RM 3

**(RM 3 known to already have a teacher treated for thyroid cancer or thyroid condition, AND ALL THREE ADJACENT ROOMS TO THIS RM #3 HAVE EITHER TESTED CAULK PCB'S OVER 50PPM AND/OR HOUSED A TEACHER WHO NOW HAS EITHER THYROID CANCER OR THYROID CONDITION)
PLS SEE ATTACHED MAP**

10:25-11:25AM

PHYS ED

GYM

(dust samples over EPA guidance; and PE office CAULK TESTED: PCB'S at 190 PPM)

11:30-12:25

MATH

RM 621

(RM not yet tested)

12:30- 1

LIBRARY

(CAULK TESTED: PCB'S at 1,870 PPM)

1-2 PM

SCIENCE

RM 106

(RM not yet tested)

2-3 PM

MUSIC

RM 302

(RM 302 known to already have a teacher treated for thyroid cancer or thyroid condition)

I am grateful that my child is NOT taking **ART** because **that room, (RM 506) the caulk was tested at 370,000 PPM!!**

As for where the children sit outside for lunch, we are still awaiting further regarding testing of the soil. (in July 2011, MHS middle school quad had over 1,100 cubic yards of toxic soil removed that contained PCBs and pesticides without any proper public disclosure).

Cindy Crawford, the super model and mother of 2 children at our school, announced 2 days ago with her husband Rande Gerber, that they are willing to pay for comprehensive testing of all classrooms. This needs to be done. All the school district has completed to date, is to spend the last 10 days vacuuming and wiping down the surfaces, while insisting the classrooms are "safe".

What i find confusing, is that the only form of testing the school district has done, is in the form of AIR TESTING.

My understanding, is that air testing is useful when needing a quick read on a building, for example, that has burned down -- so that you can instruct your clean-up crew to wear the proper ventilator and safety equipment -- but it is NOT the solution for driving compliance.

IF your agency is to enforce the regulations that were passed by Congress, then the only way to properly do that is to TEST THE CAULK and NOT just the air.

IF PCBs were banned by Congress in 1976 under TSCA (and section 12(a)(2) which states that PCB concentrations of 50ppm or greater present an unreasonable

risk of injury to health), then it follows that the only way to determine exposure is to TEST THE CAULK.

The metric that you are to enforce is in PPM, which means that the actually substrate (AKA THE CAULK) must be tested, because air testing does not use the same unit of measurement -- which is a very convenient approach for the slippery School District, who does not want to understand the problem, nor pay to fix it.

We need scientists to be sent, endorsed by the EPA to do proper testing. To date, we have "consultants" and School District lawyers, PR staff and housekeeping/ janitors scrambling to "clean" and do their air testing of a couple classrooms -- while the windows remain OPEN.

We need the EPA to drive the compliance. Unfortunately, the only way it now seems possible to force the School District to take proper next steps, is for the EPA to impose financial penalties and a per day assessment -- such that the cost of delaying taking proper action is higher than that of setting up temporary classrooms and beginning the process to remove the caulk that tests above 50 PPM.

Please do all that you can to prevent the school from opening on 19 AUG and force the hand of the school district to craft a proper clean up plan. (Having grown on on the East Coast, i actually prefer starting school AFTER LABOR DAY!) Thank you very much for taking the time to review this PCB problem and giving it the attention it deserves.

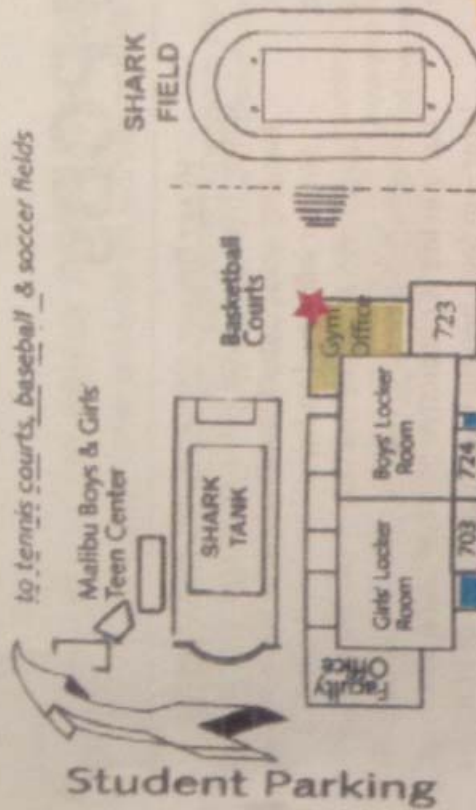
Most sincerely,

Tiffany Murray

Begin forwarded message:

PCB MAP

to tennis courts, baseball & soccer fields



CAULK SOURCES
PCB% OVER 50PPM

DUST SAMPLES
OVER EPA GUIDANCE

PCB IN SOIL
OVER EPA
GUIDANCE

AIR TEST ABOVE EPA GUIDANCE

NOTE: BUILDING PRE-1979 SOURCES NOT TESTED (OR DATA UNKNOWN)
BUILDINGS: B, C, D, H, I, F, Gymnasium/Girls/Boys Locker room

NO PCBs SUSPECTED
BUILT AFTER 1980
(12 TOTAL HS CLASSROOMS)

Juan
Cabrillo
19
340,000ppm

*2nd floor numbers

Thanks and best,
Tiffany Murray